

NON-CITIZEN ELIGIBILITY DESK GUIDE

In order to determine whether or not a non- U.S. citizen applicant is eligible for Wisconsin Works (W-2) you must obtain information regarding the applicant's immigration status. Use or disclosure of information related to immigration status is restricted to persons and organizations directly connected with verification of immigration status for purposes of determining eligibility for program services.

A non-citizen individual is eligible for W-2 if his/her immigration status is one of those listed below.

STATUS and CARES Code	PROOF
Lawfully Admitted For Permanent Residence (LPR) CARES code 01	I-551 Permanent Resident card ; or Temporary I-551 stamp in foreign passport or on I-94; or I-327 (Re-entry Permit); or I-181 Memorandum of Creation of Lawful Permanent Residence with appropriate stamp.
Asylee CARES code 05	I-94 Arrival/Departure card referencing §208 of the INA, "AS-1, AS-2, or AS-3"; or I-551 Permanent Resident card stamped "AS-6, AS-7, or AS-8"; or I-571 Refugee Travel Document* ; or I-766 Employment Authorization Document annotated "A05"; or I-730 Approval Letter (may be used as proof of asylee status for derivatives); or Asylum approval letter from USCIS Asylum Office; or Order of an immigration judge granting asylum; or Written decision from the Board of Immigration Appeals (BIA). * The I-571 does not distinguish between refugees and asylees. An individual with an I-571 may be a refugee or an asylee.
Refugee CARES code 04	I-94 Arrival/Departure card noting "Admitted under §207 of the INA," "Refugee," "RE-1, RE-2, RE-3, RE-4 or RE-5," or I-94 with Visa 93 (V-93); or I-551 Permanent Resident card stamped "R8-6, RE-5, RE-6, RE-7, RE-8 or RE-9," or "SI6, SI7, SI9, SQ6, SQ7, or SQ9"; or I-571 Refugee Travel Document* ; or I-730 Approval Letter (may be used as proof of refugee status for derivatives); or I-766 Employment Authorization Document annotated "A03"; or Iraqi or Afghan passport with immigrant visa stamp noting category "SI1, SI2, SI3, SQ1, SQ2 or SQ3." * The I-571 does not distinguish between refugees and asylees. An individual with an I-571 may be a refugee or an asylee.
Victim of Human Trafficking CARES code 19	Certification letter, eligibility letter, or interim assistance letter issued by the U.S. Department of Health and Human Services, ACF Office on Trafficking in Persons (OTIP). If letter directs, must call phone number for verification; or I-94 Arrival/Departure card coded T1 or T2 stating admission under §212(d)(5) of the INS if status granted for at least one year.

Parolee (for at least one year) CARES code 06	I-94 Arrival/Departure card noting “Paroled pursuant to §212(d)(5)” or “parole” or “parole in place” (PIP) with date of entry and date of expiration indicating one year; or I-766 Employment Authorization Document annotated “C11” or “A4,” and I-94 indicating admitted for at least one year.
Deportation or Removal Withheld CARES code 15	I-766 Employment Authorization Document annotated “A10”; or Order of an immigration judge showing the date was withheld under §243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under §241(b)(3) of INA.
Cuban/Haitian Entrant CARES code 11	I-94 Arrival/Departure card noting “Cuban/Haitian Entrant (status pending),” “Form I-589 filed,” or “CU7”; or I-94 Arrival/Departure card referencing parole under §212(d)(5) of INA or stamp showing parole in U.S. on or after 10/10/80 and reasonable evidence that parolee has been a National (citizen) of Cuba or Haiti ¹ ; or I-551 Permanent Resident card stamped “CU6, CU7, or CH6”; or I-766 Employment Authorization Document annotated “A04,” “C08,” “C10,” or “C11”; or Reasonable evidence of Cuban or Haitian nationality (citizenship) and: (1) Temporary I-551 stamp in foreign passport; or (2) USCIS notice or letter indicating ongoing pending, exclusion or deportation proceedings; or (3) USCIS letter indicating the individual has applied for asylum- receipt for filing Form I-589. ¹ Exception: this guideline does not apply when the individual was paroled solely to testify as a witness in a judicial, administrative or legislative proceeding or when the parolee is in legal custody pending criminal prosecution.
North American Indian born in Canada CARES code 18	I-551 Permanent Resident card stamped “S13;” temporary I-551 stamp in a Canadian passport; or I-94 Arrival/Departure card noting “S13”; or A letter or other tribal document certifying at least 50% American Indian blood as required by §289 of INA; or School records; or A birth or baptismal certificate issued on a reservation, or other satisfactory evidence of birth in Canada.
Member of federally-recognized tribe born outside U.S. CARES code 18	Membership card or other tribal document demonstrating membership in a federally-recognized Indian tribe under §4(e) of the Indian Self-Determination and Education Assistance Act.

<p>A U.S. citizen's or LPR's battered spouse or child, or parent or child of such person, who obtains "Notice of Prima Facie Case from USCIS" or is found prima facie eligible under the Violence Against Women Act (VAWA) CARES code 16</p>	<p>I-797 Notice of Action indicating approved, pending, or prima facie determination of I-360 (Self-petition by spouse or child of abusive U.S. citizen or LPR) under §204(a)(1)(B)(i) or (iii); or I-797 Notice of Action indicating approved or pending I-130 (Petition for Alien Relative) under §204(a)(1)(A)(i) or (ii) or §204(a)(1)(B)(i); or Order from EOIR granting suspension of deportation under §244(a)(3) or cancellation of removal under §240A(b)(2).</p>
<p>Conditional Entrant (status granted to refugees before 1980) CARES code 03</p>	<p>I-94 Arrival/Departure card with stamp showing admitted under §203(a)(7) of INA; or I-766 Employment Authorization Document annotated "A01" or "A03"</p>
<p>Amerasian Immigrant CARES code 17</p>	<p>I-94 Arrival/Departure card noting "AM-1, AM-2, or AM-3." Derive date of entry from inspection on stamp; if date is missing, obtain from I-551 or from USCIS; or I-551 Permanent Resident card stamped "AM-6, AM-7, or AM-8"; or Vietnamese exit visa, Vietnamese passport or U.S. passport with codes "AM-1, AM-2 or AM-3."</p>
<p>Veteran, spouse, unmarried surviving spouse and unmarried dependent child of a U.S. veteran who fulfilled a minimum active duty requirement of 2 years</p>	<p>A discharge Certificate (DD Form 214) that states "Honorable." A character discharge "Under Honorable Conditions" is an "Honorable Discharge" for alien status purposes. Narrative Reason for separation block must not state that discharge is for reason of "alienage" or lack of U.S. citizenship.</p>
<p>Active Military: active duty or a member of the Armed Forces on full-time duty in the Army, Navy, Air Force, Marine Corps or Coast Guard, spouse and children</p>	<p>Military Identification Card (DD Form 2) (Active) that lists an expiration date not more than one year from the determination date. If card is due to expire within one year from the date of the determination, use a copy of the current military orders.</p>